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Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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On-Going Violence and Violations against Tamil Women

I. Executive Summary

Women's bodies have historically been a secondary battlefield in the theater of war, a space where victors claim their spoils and nations plant their flag. In Sri Lanka post-2009, Tamil women's bodies in the North and East have become both the site of a violent Sinhalisation process and their only means of survival in a militarized environment. Direct interviews and a compilation of secondary sources reveal that in the period from 2008-2013 women lost their reproductive rights, were forced into coercive sexual relationships or marriages, and faced the constant threat of rape, even as they desperately tried to escape the island. These acts collectively highlight the structural violence that marginalizes Tamil women and subjugates Tamil society. Due to the cultural positioning of Tamil women, these acts go far beyond the immediate physical and psychological damage to the individual woman, they also serve to humiliate Tamil men and reinforce Tamil powerlessness. Violations against Tamil women are a powerful symbolic display of the domination of the Sinhala Buddhist state and majority; they are one of the myriad ways by which the state seeks to destroy the essential foundations of the life of the Tamil people.

II. Contextual Vulnerability

In Sri Lanka, a calculated militarization has been the primary agent of Sinhalisation, leading to a pervasive fear psychosis that has defined Tamil women's experiences during, and after, the civil war. A number of civil society workers interviewed highlighted that "militarization is the biggest problem facing Tamil women today". The 'military' presence includes paramilitaries in addition to those formally associated with the Government of Sri Lanka (GoSL). Post-2009, prostitution, forced marriages, the loss of reproductive rights, and indiscriminate rape are among the "specific vulnerabilities and insecurities that are produced or exacerbated as a result of state-led actions." Despite claims that incidents of gender-based violence are an anomaly by low-level cadre, in-depth analysis of incidents like the case of journalist Isaipriya reveal that beyond acting with impunity, individual attackers are acting on the orders of their higher-ups. Furthermore, as detailed below, the sheer frequency and prevalence of the violence against Tamil women exposes the inadequacy of 'rogue' perpetrator apologies.

III. Violence and Violations

Overt Violence: Sexual Violence 2008-2010

Rape, Sexual Harassment, Forced Abortions

International rights organizations have found that during the conflict, "Sri Lankan soldiers have raped both women and young girls on a massive scale, and often with impunity, since reporting often leads to reprisals against the victims and their families". Research conducted with asylum seekers found that in the remote jungle theater of war, several women experienced individual and gang-rape while captives of the Sri Lankan Army. Once in the camps, women highlight the lack of privacy and constant sexual harassment, noting "Even using the river to relieve ourselves, the soldiers would be watching from the trees." During the period when the population was kept in internment camps (2009) several women testify to having forced abortions due to the exposure of their children to "chemicals in the warzone".

As the population moved into highly militarized "resettled" areas, women's bodies became one aspect of everyday life vulnerable to Sinhalisation. Research in the Northern province in the immediate aftermath of the war found rape to be a pervasive issue even in resettled areas, with numerous sources reporting on a disturbing trend towards the rape of very young girls.

Structural Violence: 2010-2013

Rape

More overtly violent methods of rape continue to produce reports of violations against women, with very little recourse, for example, October 2013, the brutal gang rape and murder of 47-year-old Markandu Yogarany in Jaffna. Some violations against women are so frequent and persistent that they have almost become normalized.

Several journalists and activists note that rape is a continual concern, especially prevalent against ex-LTTE cadres, and seldom reported.

> *The rape usually occurs inside the army camp, during their mandatory reporting sessions, or during the home visits. Because they are being so heavily monitored, they are afraid to report it.*

Those women with any affiliation to the LTTE (even at the lowest level) are particularly vulnerable to targeting by military forces, even in Colombo. The direct testimony from a former-LTTE informant describes her experience when taken for questioning.

> *...she was kept without clothes for one week and continuously subject to rape by many different men. She could hear the voices of many girls in the CID building screaming whenever military personnel entered their rooms...*

Rape (often multiple rapes) has been found to be an ongoing concern in detention centers and through the asylum process. An asylum lawyer, 2014, declared,

> *Just this week I have received the case of a woman who was raped by the Sri Lankan Military, and was raped again by the Mexican fixer that had been arranged before she entered the United States.*

Prostitution

Recent research has shown a significant increase in prostitution in the Northern districts in the post-2009 period. Several women interviewed argued that prostitution not only offered themselves and their families some amount of security by gaining favor with military cadres but also offered them a decent income. In town-hall sessions conducted by local rights groups, several women protested "You tell me another job we can get now that pays 1000 rupees a day." Outside of these daily interactions, reports indicate that larger groups of women are taken under false pretenses for vocational training and forced into sexual relationships with military cadre or personnel. While this issue is a challenge to the daily, lived experience of Tamil women, the pervasiveness of the issue also shapes the position of women in Tamil society and further subjugates Tamil civilians to Sinhala soldiers.

Forced Marriages

While the GoSL has highlighted marriages between army soldiers and Tamil women as evidence of reconciliation, direct interviews and other sources maintain that these unions are formed under duress and occur through a spectrum of coercive mechanisms (use of force, threats, assurances of protection). In a recent statement DMK leader M. Karunanidhi alleged that Tamil women in the Killinochi District were being forced to marry Sri Lankan Army personnel. In one direct interview "Padma" recounts,

> *When we left the camps, this army soldier came to our resettled village to visit. Eventually he asked my parents to marry me. We were from a very low caste, and he could speak a little Tamil so my parents said yes. We stopped at a lodge on the way. When I woke up the next morning he told me to go home, he would find me. When I found I was pregnant my mother and I went searching for him, only to hear that he is already married with children.*

Reproductive Rights

Recent reports point to the coercive implementation of birth control devices, without the informed consent of local women. These efforts, targeted at lower-class Tamil women, point to the abuse of power by local authorities as well as the intrusive hand of a militarized state reaching into the private space of Tamil women's reproductive rights.

IV. Key Findings

The specific targeting of ethnic Tamil women generally, and within that a subset of ex-cadres, has highlighted the intent of the GoSL to destroy the social fabric of Tamil community while repressing any potential for resistance.

The local barriers to reporting have limited the data available to garner attention to this critical issue, though significant video and narrative evidence shows clear patterns of consistent abuse: violence has become entrenched in the lived experience of Tamil women.

Analysis of specific instances of violence explicitly implicate the chain of command, likewise both the scale of violations, and the depth of impunity expose the crimes against women to be systemic. When considered in context, held up against the other state policies, such as the rehabilitation of former Tamil Tigers, the government incentives for Sinhalese to populate the North and East, the erosion of a free press, it becomes apparent that the sexual violence and exploitation of Tamil women is part and parcel of the Sri Lankan state's attempts to render the Tamil people impotent, to destroy the foundations of Tamil identity and the potential for future opposition.